

SANITATION STRIKE PLAN

SANITATION STRIKE PLAN FOR THE CITY OF NEWARK

I. INTRODUCTION

This plan identifies the actions that need to be taken prior to the threat of and during a strike or job action by employees of the Newark Division of Sanitation and/or the employees for that area of the City of Newark collected by private contractor.

During a strike, it is essential that the responsibilities of management personnel are clearly defined. If they are not, it is probable that the Business Administrator will be confronted with far more problems than he can effectively deal with. For this reason, some key responsibilities have been identified and assigned to managers. It is intended that these responsibilities will rest totally upon the designated persons.

The plan is purposely designed to be a flexible general guide and not a step-by-step instruction booklet. The assumption is that though not all circumstances can be anticipated, a structure can be established that will respond to the unanticipated.

A. Initial Action Upon Notification of Sanitation Strike

1. Business Administrator - Meet with City Council, Corporation Counsel and the Director of Engineering to determine legal actions.
2. Police Chief - Implement security plan for all City sanitation operations and facilities (Miller and Empire Street Garages).
3. Manager of Public Information - Prepare news releases and a letter to striking employees.

Prepare to maintain a photographic and written record of all significant events during the strike.

II. PAYROLL TIME REPORTS

- A. The manager of the Division of Sanitation will be responsible for keeping a record of all hours worked by the employees assigned to his division and for informing the Finance Department of the same.
- B. In the case of a strike, only normal hours are to be reported to the Finance Department. The records of overtime and all other out of the ordinary hours are to be maintained by manager until the conclusion of the strike, at which time they are to be reported to the Finance Department.
- C. During a strike, all employees including those who have previously selected compensatory leave in lieu of overtime pay and/or time off for overtime worked, will be given the option of overtime pay or time off at one and one-half times the overtime hours worked.

III. VACATION - SICK LEAVE

- A. If a management or supervisory management employee is on vacation when a strike begins, the vacation will be canceled as soon as he can be contacted.*
- B. An employee who was on sick leave when the strike began will be refused further sick leave pay unless he provides a written statement from a licensed physician stating that he is unable to work. He will also be required to sign a written document stating that he will return to work when able, regardless of the strike.**
- C. A striking employee will receive no sick leave compensation for any time during the strike.
- D. An employee who has participated in a strike and, who claims sick leave benefits during the first five working days following the conclusion of that strike, will be required to provide a written statement from a licensed physician verifying that the employee is unable to work.

* See Appendix No. 1 for Vacation Recall Procedure.

** See Appendix No. 2 for Employee Sick Leave Certification Form and Appendix No. 3 for Employee Return to Work Certification Form.

IV. PUBLIC RELATIONS AND INFORMATION

- A. The Manager of Public Information will be the spokesman on all matters pertaining to the strike.
- B. Any requests for information, be it in person, by telephone or in writing, other than specific questions pertaining to services, will be referred to the Office of the Manager of Public Information. It would be conducive to orderly negotiations if the City Council members would volunteer to do the same, especially pertaining to questions about the status of which services will be maintained.
- C. The Manager of Public Information will maintain information pertaining to the strike. To be included in this information are all incoming and outgoing correspondence, news articles and photographs of picketers, serving of court orders, etc. This information may be needed for legal purposes as well as public relations activities.
- D. Prior to, or immediately following the beginning of the strike, a letter prepared by the Manager of Public Information and signed by the Business Administrator will be sent to all employees involved in a job action or strike. This will not be a threatening letter. It will be written in such a manner that the employee will review it as informational. It will also inform the employee that when his pay stops, because of a job action or strike, so do his deductions and thus his insurance, as well as other benefits which will lapse.

V. ASSIGNMENTS

1. The Engineering Director will be responsible for coordinating the activities of the Engineering Department.
2. The Public Information Officer will use all means at his disposal to inform the citizenry about available City services, including the refuse collection storage procedure.
3. The Police Department will assist to maintain order at any and all picket locations.
4. The Health Department will work with the Director of Engineering and the Manager of Public Information to prepare commun es for public release.
5. The Fire Department will control sporadic fires resulting from the accumulation of uncollected garbage.
6. The Law Department will prepare all legal documents necessary to end any job action or strike.
7. The Housing Authority and the Board of Education will work with the Director of Engineering and the Public Information Officer to reduce waste generation and to secure and properly store garbage until it can be collected.

VI. POST-STRIKE POLICIES AND PROBLEMS

A. Return of Employees After Strike

When a strike is over, it must be recognized that there will undoubtedly be some hard feelings on both sides. Management's objective is to cause the employees to return to work and resume normal activities as quickly as possible. The supervisor, or other members of management, must not become engaged in discussions regarding the strike, any violence that took place during the strike, individual employees who did or did not work during the strike, grievances, court cases, unfair labor practices charges, union affairs, the union officers or union meetings. Supervisors should be alert to situations developing around the employees which would tend to be detrimental to the efficient operation of the department. There should be a maximum work effort and a minimum amount of congregating and discussion among the employees.

VII. Job Action or Strike by Private Garbage Contractors

UNDEFINED

APPENDIX NO. I

VACATION CALL-BACK PROCEDURE

If a Management or Supervisory Management employee takes vacation or leave while negotiations are in progress, the employee will provide his supervisor with a written report stating where he will be and how he can be contacted.

If the employee is traveling in such a manner that he cannot be readily contacted, the employee's supervisor will establish a schedule for the employee to check in by means of collect telephone calls. The frequency of check-ins will be based on the probability of an employee action as determined by the supervisor.

Any employee called back from vacation will be reimbursed for all expenses incurred that are directly related to the call-back, and would not have been incurred if not called back. If the expense of implementing this procedure is, in the Department Manager's judgment, greater than the benefit that the City will receive by implementing it, he will not implement it.

APPENDIX NO. 2

EMPLOYEE SICK LEAVE CERTIFICATION

FOR

(Print Employee's Name)

This individual is employed by the City of Newark. As such, he is engaged in rendering essential public services which have a direct effect on the health and welfare of the citizens of the City. His presence at work is required and necessary.

You are asked to certify if he is physically incapacitated from work of any kind. The following information is required before the employee can receive sick leave credit:

1. Nature of Illness (Your Diagnosis);
2. Major Clinical Findings (Fever, Blood Count, etc.);
3. Medication and/or Treatment Prescribed;
4. Is this employee incapacitated to an extent which precludes him from doing work of any kind: _____ Yes; _____ No;
5. Beginning date of incapacity _____;
6. Ending date of incapacity _____.

(Name of Examining Physician)
(Please Print)

I hereby certify as a licensed practicing physician in the State of New Jersey that the above report is true and correct.

Signature of Physician

Date

APPENDIX NO. 3

EMPLOYEE RETURN TO WORK CERTIFICATION

I hereby certify that I am physically incapacitated from work of any kind. I furthercertify that I will return to work when physically able, and that my return to work will not be affected by any past, present or future strike action(s).

Signature of Employee

Date

DATE _____

DAILY STRIKE REPORT FROM

This form is to be completed prior to the close of each workday. It will be picked up at your office between 4:00 P.M. and 4:30 P.M. of each day.

Attach additional pages if more space is needed.

Department of Engineering Division of Sanitation

1. List by name and location, all department facilities at which employees are picketing, and give an estimate of the number of picketers at each facility.
2. List any action by picketers that has disrupted operations (i.e., violence, prohibit deliveries, block entrance of working employees, interfere with employees at work, excessive yelling, etc.), the locations of such action and the time of day.
3. If possible, identify by name, any employees engaged in the activities described under No. 2 above, and explain nature of employee's involvement.
4. Explain any emergency, critical lapse in service, etc. that may of interest to the Business Administrator, the Director of Engineering or the Public.

Signature and Title